

For reasons as previously expressed, a rejection of claim 1 as being anticipated by Newgard is not warranted pursuant to the provisions of 35 USC 102.

Claim 1 has also been rejected as being anticipated by Tauschinski. Issue is taken in this respect.

The Examiner alleges that Tauschinski teaches all the claimed subject matter including a piercing ring 10 and an elastomeric seal with a central slit. Clarification is requested.

Claim 1 claims a bloodless catheter comprising (1) a first hub having a bore at a proximal end; (2) a cannula fixed in and extending from. . . said hub. . . ; and (3) a septum seal mounted in said bore. . . in circumferentially sealed relation to prevent a flow of fluid from said cannula. . . “ Claim 1 does not claim a piercing ring. Hence the Examiner’s allegation that the claimed subject matter includes a piercing ring is not understood.

Further, note is made that the connector in body 1 of Tauschinski does not have a cannula fixed in and extending from a distal end as required by claim 1. Accordingly, a rejection of claim 1 as being anticipated by Tauschinski is not warranted pursuant to the provisions of 35 USC 102.

Claims 2 to 18 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 4 further requires that the seal be “slidably mounted in said bore”. As noted in the previous Amendment, the obturator member 48 of Newgard is not slidably mounted in the bore 42 of the hub 38. Instead, as illustrated, there is a circumferential gap between the obturator member 48 and the wall of the bore. Accordingly, a rejection of claim 4 as being anticipated by Newgard is not warranted to the provisions of 35 USC 102.

Claim 5 requires that the seal be mounted at one end of the bore of the hub “with a face thereof exposed for swabbing”. Tauschinski is void of any such structure or teaching. As

illustrated, the disc 3 is mounted intermediately within the connector 1. Accordingly, a rejection of claim 5 as being anticipated by Tauschinski is not warranted pursuant to the provisions of 35 USC 102.

Claim 7 depends from claims 1 and 6 and further requires a “tube mounted in said weakened section of said seal and extending into said cannula”. Tauschinski is void of any such teaching. Accordingly, a rejection of claim 7 as being anticipated by Tauschinski is not warranted pursuant to the provisions of 35 USC 102.

Claim 19 has been rejected as being unpatentable over Tauschinski in view of Newgard. Issue is taken in this respect.

Claim 19 requires “first hub having a bore at a proximal end, a cannula fixed in and extending from an opposite distal end of said hub. . . “. Tauschinski is void of any teaching of a cannula fixed in and extending from the connector body 1.

Claim 19 further requires “a tube mounted in said seal in sealed relation and extending into said cannula”. Tauschinski does not describe or teach such a structure. Clearly, there is no tube mounted in the disc 3 nor is there any tube mounted in the disc 3 and extending into a cannula. Further, Newgard does not provide any teaching which would motivate one of ordinary skill in the art to fix a cannula in the distal end of the connector and to mount a tube in the disc 3 and to extend the tube into a cannula. For these reasons alone, a rejection of claim 19 as being unpatentable over Tauschinski in view of Newgard is not warranted pursuant to the provisions of 35 USC 103.

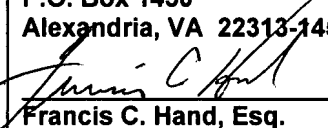
Claim 20 requires “a first hub. . . a cannula fixed in and extending from. . . said hub”. As noted above, Tauschinski does not describe or teach such a structure. Further, there is no teaching in Newgard that would motivate one of ordinary skill in the art to mount a cannula in

the distal end of the connector body 1 of Tauschinski. For this reason alone, a rejection of claim 20 as being unpatentable over Tauschinski in view of Newgard is not warranted pursuant to the provisions of 35 USC 103.

Claim 20 further requires "a piercing ring mounted on said seal concentrically of said slit". Tauschinski does not describe or teach such a structure. Specifically, the member 10 of Tauschinski is not "mounted" on the disc 3 but is instead slidably mounted within the connector body 1 for penetrating into the disc 3. Accordingly, for this additional reason, a rejection of claim 20 as being unpatentable over Tauschinski in view of Newgard is not warranted pursuant to the provisions of 35 USC 103.

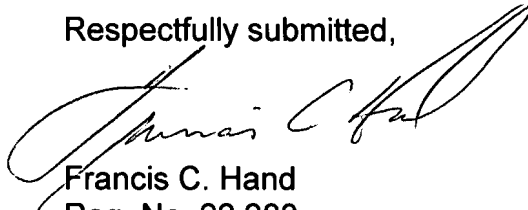
The remaining references of record have been reviewed; however none is believed to be further pertinent to the claimed structure taken alone or in combination.

The application is believed to be in condition for allowance and such is respectfully requested.

FIRST CLASS CERTIFICATE	
I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
 Francis C. Hand, Esq.	7-29-2003 Date

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Respectfully submitted,



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